

SENATE BILL 3949
By Herron

AN ACT to amend Tennessee Code Annotated, Section 55-10-403, relative to the offense of driving under the influence of an intoxicant.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-10-403, is amended by adding the following new subdivision (E) to subsection (d)(1):

(E) In addition to the judge ordering the issuance of a restricted driver license permitting the use of a motor vehicle to travel to the places described in subdivisions (d)(1)(A)-(D), such judge may also order the issuance of a restricted license that permits a person qualified under this subdivision (d)(1)(E) to operate a motor vehicle for the limited purposes of:

(i) Traveling to and from a court-ordered alcohol or drug treatment program, including Alcoholics Anonymous; and

(ii) Traveling to and from religious services such as church.

The judge may not order the issuance of such a restricted license unless:

(i) The violation resulting in the person's present conviction for driving under the influence of an intoxicant occurred on or after July 1, 2006;

(ii) The person does not have a prior conviction for a violation of §39-13-106, §39-13-213(a)(2), or §39-13-218, in this state or a similar offense in another state;

(iii) The person does not have a prior conviction for a violation of §55-10-401 or §55-10-418 within ten (10) years of the present violation in this state or a similar offense in another state;

(iv) The person pays all costs and fees necessary to have a functioning ignition interlock system installed, maintained and monitored on such person's motor vehicle; and

(v) The person does not operate a motor vehicle other than the one on which the functioning ignition interlock system has been installed pursuant to subdivision (d)(1)(E)(iv).

SECTION 2. This act shall take effect July 1, 2006, the public welfare requiring it.